

ORDINANCE 89- 100

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PLANNING DEPARTMENT

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AN ORDINANCE AMENDING ORDINANCE 82-2, THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY BY ADDING A NEW SUBSECTION 9.14, CORRIDOR MANAGEMENT OVERLAY DISTRICT - SPECIAL REGULATIONS FOR PROPERTIES ABUTTING GOLDEN GATE PARKWAY WEST OF SANTA BARBARA BOULEVARD AND GOODLETTE-FRANK ROAD SOUTH OF PINE RIDGE ROAD, BY PROVIDING AN INTENT AND PURPOSE, DEVELOPMENT STANDARDS RELATING TO BUILDING SETBACKS, BUILDING HEIGHTS, LANDSCAPING, ACCESS AND SIGNAGE; BY AMENDING THE OFFICIAL ZONING ATLAS MAPS NUMBER 49-25-5, 49-25-7, 49-25-8 AND 49-26-4; BY SHOWING THE BOUNDARY OF THE CORRIDOR MANAGEMENT OVERLAY DISTRICT; BY PROVIDING FOR CONFLICT AND SEVERABILITY; AND BY PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes, establishes the right and power of counties to provide for the health, welfare and safety of existing and future residents by enacting and enforcing zoning and business regulations necessary for the protection of the public; and

WHEREAS, Chapter 163, Part II, (Local Government Comprehensive Planning and Land Development Regulation Act), Florida Statutes, provides that counties shall have the power and responsibility to plan comprehensively for their future development and growth including the adoption and implementation of appropriate land development regulations which are necessary or desirable to implement a comprehensive plan, including the regulation of land uses and zoning as provided in Section 163.3202, Florida Statutes; and

WHEREAS, the Future Land Use Element of the Growth Management Plan requires that certain Land Development Regulations be adopted to implement the Plan; and

WHEREAS, Policy 4.2 of the Future Land Use Element of the Growth Management Plan requires that a Corridor Management Plan be prepared in conjunction with the City of Naples for Goodlette-Frank Road and Golden Gate Parkway from U.S. 41 to Santa Barbara Boulevard; and

WHEREAS, the Corridor Management Plan was presented to the Board of County Commissioners and the Naples City Council in a joint workshop on February 8, 1989; and

Words underlined are additions; words ~~struck-through~~ are deletions.

WHEREAS, the Board of County Commissioners directed staff to draft Land Development Regulations consistent with the City of Naples to implement the Corridor Management Plan;

WHEREAS, the Collier County Planning Commission (Local Planning Agency) has determined that this proposed zoning ordinance is consistent with the adopted Growth Management Plan as required by Section 163.3194(2)(a), Florida Statutes; and

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA:

SECTION ONE: Corridor Management Overlay District

Ordinance No. 82-2, the Zoning Ordinance of Collier County, Florida is hereby amended by adding Section 9.14 thereto as follows:

9.14 - Corridor Management Overlay District - Special Regulations For Properties Abutting Golden Gate Parkway West of Santa Barbara Boulevard and Goodlette-Frank Road South of Pine Ridge Road:

- a. Intent and Purpose: The purpose of this overlay district is to supplement existing zoning regulations for properties bordering Golden Gate Parkway west of Santa Barbara Boulevard and Goodlette-Frank Road south of Pine Ridge Road. The overlay district will implement the urban design concepts developed in the Corridor Management Study for Goodlette-Frank Road and Golden Gate Parkway. These regulations recognize that two separate jurisdictions govern land uses in these corridors and are designed to develop greater consistency in design standards between Collier County and the City of Naples.
- b. Applicability: These regulations apply to all properties adjacent to the rights-of-way of Goodlette Frank Road from US 41 to Pine Ridge Road and Golden Gate Parkway from US 41 to Santa Barbara Boulevard as measured perpendicular from the abutting right-of-way for a distance of 330 feet. Except as provided in this regulation, all other use, dimensional and development requirements shall be subject to the underlying zoning categories.
- c. Building Setbacks:
 1. Goodlette-Frank Road: Fifty (50) feet.
 2. Golden Gate Parkway: Fifty (50) feet for the first floor of all commercial development, one hundred (100) feet for

the first floor of all other development except for properties zoned E. Estates which shall be setback seventy-five (75) feet.

3. As building height increases, the front yard setback shall be increased by twenty-five (25) feet for each additional floor or buildings shall be stepped back to provide a vertical slope setback of 2:1. Single family residential development shall be exempt from this provision.

d. Signs:

1. Goodlette-Frank Road: As permitted in Ordinance 89-60.
2. Golden Gate Parkway: Property identification signs shall not be higher than four (4) feet above the ground or exceed sixty (60) square feet per side in size. Post mounted signs shall not be allowed. Signs shall be set back a minimum of fifteen (15) feet from the road right-of-way.

- e. Access: Two way ingress and egress shall be a minimum of 330 feet from the nearest street intersection (measured from intersecting right-of-way lines). One way ingress and egress shall be a minimum of 150 feet from the nearest intersection. If a property abuts a side street, access shall also be provided from that side street except that if the property is five (5) acres or less in size, access shall be limited to the side street.

f. Landscaping and Buffering:

1. Goodlette-Frank Road:
 - (a) The minimum landscaping area shall be ten (10) feet in width measured from the right-of-way line.
 - (b) Tree plantings shall consist of canopy trees with a minimum canopy spread of five (5) feet and height of ten (10) feet at the time of planting. Trees must be placed every thirty (30) feet in landscaped areas.
 - (c) Palm trees may not be substituted for canopy trees.
 - (d) Landscape designs shall incorporate the use of xeriscape plant materials species as listed in the Xeriscape Plant Guide published by the South Florida Water Management District.

2. Golden Gate Parkway:

- (a) The minimum landscaping area shall be twenty five (25) feet in width as measured from the right-of-way line except for single family homes in the E-Estates District. Provisional uses approved in the Estates District shall be subject to the minimum landscaping requirements.
- (b) Tree plantings shall replicate indigenous native species or be compatible with the existing vegetation and have a minimum of a twenty (20) foot canopy at maturity.
- (c) Two (2) slash pines may be substituted for one (1) canopy tree provided each tree is a minimum of eight (8) feet in height with a four (4) foot spread at time of planting.
- (d) A minimum of eighty-five percent (85%) of the existing native vegetation within the landscape area must be retained.

3. In certain instances, Planned Unit Developments may fulfill the intent of the Ordinance through the implementation of an urban design concept as an alternative to the landscape and buffer requirements. The Community Development Administrator or his designee shall recommend an exception to this section be granted if the project meets the intent by creating a continuous, coordinated visual image through distinctive design features such as golf courses, water features, parks, or other visually attractive buffers or open space.

4. Screening and Walls: Vegetative screens are required within the minimum setback areas with a minimum height of two feet and a maximum height of four feet. Perimeter walls are permitted provided they are at least 75% screened by plant materials or buffered by berming. Entranceway walls are permitted without screening for a distance of fifty (50) feet from such entrances.

SECTION TWO: Zoning Atlas Maps

The Official Zoning Atlas Maps number 49-25-5, 49-25-7, 49-25-8 and 49-26-4 are hereby amended to show the Corridor Management Overlay District boundary.

SECTION THREE: Conflict and Severability

In the event this Ordinance conflicts with any other Ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of the Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION FOUR: Effective Date

This Ordinance shall become effective upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.

DATE: December 19, 1989

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

ATTEST:
JAMES C. GILES, CLERK

BY: Burt L. Saunders
BURT L. SAUNDERS, CHAIRMAN

By Marjorie M. Student
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Marjorie M. Student
MARJORIE M. STUDENT
ASSISTANT COUNTY ATTORNEY

This ordinance filed with the
Secretary of State's Office the
27th day of Dec. 1989
and acknowledgement of that
filing received this 5th day
of Jan. 1990

By Janice Chesaris
Deputy Clerk

CZ06.589

STATE OF FLORIDA)
COUNTY OF COLLIER)

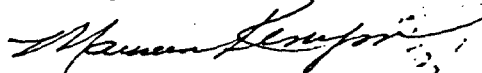
I, JAMES C. GILES, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true copy of:

Ordinance No. 89-100

which was adopted by the Board of County Commissioners on the 19th day of December, 1989, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 21st day of December, 1989.

JAMES C. GILES
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners



By: /s/Maureen Kenyon
Deputy Clerk

